

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

TIMOTHY RYAN, M.D.,  
Plaintiff – Appellant,

v.

ANISH MAHAJAN, M.D., ET AL.,  
Defendants – Appellees.

9th Cir. No. 22-55405

(Consolidated with Appeal Nos.  
22-55144 and 22-55406)

**STIPULATED MOTION TO  
VOLUNTARILY DISMISS  
APPEAL**

Pursuant to Federal Rule of Appellate Procedure 42(b), all parties hereby move the Court for an order dismissing the above-captioned appeal 22-55405 (“Ryan Appeal”) by Appellant Timothy Ryan (“Appellant”). The parties agree and stipulate as follows:

WHEREAS the parties met and conferred upon Appellees’ assertion that this Court lacks jurisdiction to hear the Ryan Appeal because the order from which Appellant appealed is not a final judgment;

WHEREAS Appellant has agreed to dismiss the Ryan Appeal, without prejudice to filing an appeal when there is a final appealable judgment as to the issues in question;

WHEREAS the parties agree that the related appeals that have been consolidated with this one are not impacted by this dismissal in Case Nos. 22-55144, 22-55406, and that the current briefing schedules on those appeals as set by this Court’s order of July 18, 2022 should remain the same;

WHEREAS the parties have agreed that each side shall bear its own costs and fees on appeal as to this appeal;

THEREFORE the parties stipulate and agree and ask the Court to find that Appeal No. 22-55405 is dismissed, that the parties shall bear their own costs as to that appeal, and that the briefing schedule for Appeal Nos. 22-55144 and 22-55406 shall remain the same as set by this Court on July 18, 2022.

Dated: August 8, 2022

BROWN WHITE & OSBORN LLP

By s/Kenneth P. White  
Kenneth P. White  
Attorneys for Appellant

Dated: August 8, 2022

BALLARD ROSENBERG GOLPER  
& SAVITT, LLP

By s/John Manier (with permission)  
Linda Miller Savitt  
John Manier  
Attorneys for Appellees

**PROOF OF SERVICE**

I am over the age of 18 years and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 333 South Hope Street, 40<sup>th</sup> Floor, Los Angeles, California 90071.

On August 8, 2022, I caused the following document(s) to be served:

**STIPULATED MOTION TO VOLUNTARILY DISMISS APPEAL**

[ X ] (By **ELECTRONIC FILING**) I served each of the above-referenced document(s) by E-filing in accordance with the rules governing the electronic filing of documents in the United States Court of Appeals for the Ninth Circuit which will send notification of such filing to the interested parties.

Linda Miller Savitt

John J. Manier

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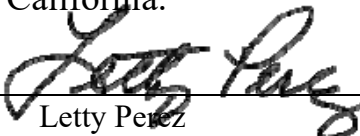
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*Attorneys for Appellees*

ANISH MAHAJAN, M.D., et al.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on August 8, 2022, in Los Angeles, California.

  
\_\_\_\_\_  
Letty Perez